

Decriminalization Small Amounts of Marijuana SB 349

March 24, 2009

I'm speaking in support of SB 349, introduced by Senators Looney and Harp. Similar to a law passed in Massachusetts, this bill proposes to decriminalize the possession of small amounts of marijuana.

I am not supporting this bill because I am a marijuana user. I am not and do not desire to be. But I know of many people who are. In fact, marijuana is the most commonly used drug in the country, followed by prescription drugs, which rate number two. A survey in 1994 showed that about a 1/3 of the adult population admitted to having tried marijuana.

A report by MacCoun and Reuter in 2001 indicate that this popular illegal drug is mostly used recreationally. They report that its use becomes problematic only because of the arrests which may occur. It is problematic for the offender who will be labeled a felon and who may go to jail and it is expensive and wasteful for our legal system.

I have analyzed the daily arrest log in Hartford between December 16, 2007 and yesterday, March 23, 2009. 22.5% of all adult arrests are drug arrests and of those, 23.5% are associated with marijuana possession. The FBI reported in 2001 that in the US, almost three quarter of a million persons were arrested for marijuana violations, representing nearly half of all drug arrests in the US. Of these, 88.6% were for possession only. The total number of marijuana arrests far exceeds the total number of arrests for all violent crimes combined, including murder, manslaughter, forcible rape, robbery, and aggravated assault. The Justice Department reported that of all drug arrests in 2005, 42.6% were for marijuana offenses. Some of those arrested go to Community Court and perform service, a good example of the punishment not fitting the crime.

It is said by detractors of this bill that the bill is unnecessary since marijuana arrests rarely result in incarceration. This is inaccurate. In spite of these denials, marijuana users are sent to jail. A report by NORML, a drug policy reform group, says that in 2006 over 12.5% of state and federal inmates incarcerated for drug violations committed marijuana offenses. At over \$30,000 per year prison costs, this is an expensive response to the use or possession of this substance. It is also inappropriate, since as the DEA (Drug Enforcement Agency) reported in 1988, "marijuana in its natural form is one of the safest therapeutically active substance known to man".

We are paying huge cost to ferret out, arrest, report on, send to court, and to arrange for community service or prison. We are doing all of this to punish people for a recreational habit that has never killed anyone while we have a whole system in place to control the production, distribution, and sales of alcohol which kills over 100,000 people annually and tobacco which kills over 400,000 people each year. Ideally we ought to treat marijuana as we do those two products. We should regulate the sale to minors and punish those who sell to them, who sidestep the legal process for the commercial sale of the substance, or who commit crimes whether or not associated with drugs.

But that isn't the bill before us today. Decriminalizing small amounts of marijuana, as called for by this bill, is a sensible step in the right direction. For those who worry about the myth that marijuana is a gateway drug, the accurate information is that only 1-2 % of those who have used marijuana become users of harder, more dangerous drugs. "There is no conclusive evidence that the drug effects of marijuana are causally linked to the subsequent abuse of other illicit drugs". (Institute of Medicine, Joy, Watson, and Benson, 1999).

There appears to very little downside to decriminalization of small amounts of marijuana. I recommended passage of this bill

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